

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MOTOWN RECORD COMPANY, L.P.; CAPITOL RECORDS, INC.; VIRGIN RECORDS AMERICA, INC.; SONY BMG MUSIC ENTERTAINMENT; MAVERICK RECORDING COMPANY; BMG MUSIC; UMG RECORDINGS, INC.; and WARNER BROS. RECORDS INC.

(b) County of Residence of First Listed Plaintiff **New York County, NY**
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANT**JOHN DOE**

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Howard M. Klein (No. 33632) Telephone: (215).864.9600
Andrew Hanan (No. 69682) Facsimile: (215).864.9620
Conrad O'Brien Gellman & Rohn, P.C.
1515 Market Street, 16th Floor
Philadelphia, PA 19102-1916

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for

(For Diversity Cases Only)

Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities—Employment <input type="checkbox"/> 446 Amer. w/Disabilities—Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 District Judge from Appeal to Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

*17 U.S.C. § 501 et seq.*Brief description of the cause: *copyright infringement***VII. REQUESTED IN COMPLAINT**

- ☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$** CHECK YES only if demanded in complaint
JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S)
IF ANY**

(See instructions)

JUDGE _____ DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

June 14, 2007

s/ Andrew Hanan

69682

FOR OFFICE USE ONLY

RECEIPT# _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT**FOR THE EASTERN DISTRICT OF PENNSYLVANIA – DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.**

Address of Plaintiff: See Attachment A

Address of Defendant: unknown

Place of Accident, Incident or Transaction: The acts of infringement complained of herein occurred in this judicial district

(Use Reverse Side for Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed. R.Civ. P. 7.1(a))

Yes ☒ No ☐

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒**RELATED CASE, IF ANY:**

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒

Civil (Place ☒ in ONE CATEGORY ONLY):**A. Federal Question Cases:**

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Notice Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Copyright

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability -- Asbestos
9. ☐ All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(check appropriate Category)

I, Andrew Hanan, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule Issue 53.2, Section 3 (c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;☒ Relief other than monetary damages is sought.

DATE: June 14, 2007

s/ Andrew Hanan

Attorney-at-Law

69682

Attorney I.D.

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.**I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.**

DATE: June 14, 2007

s/ Andrew Hanan

69682

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
ATTACHMENT A

Motown Record Company, L.P.
1755 Broadway, 6th Floor
New York, NY 10019
County of New York

Virgin Records America, Inc.
150 Fifth Avenue, 11th Floor
New York, NY 10011
County of New York

Maverick Recording Company
9348 Civic Center Drive
Beverly Hills, CA 90210
County of Los Angeles

UMG Recordings, Inc.
2220 Colorado Avenue
Santa Monica, CA 90404
County of Los Angeles

Capitol Records, Inc.
150 Fifth Avenue, 11th Floor
New York, NY 10011
County of New York

SONY BMG MUSIC
ENTERTAINMENT
550 Madison Avenue
New York, NY 10022-3211
County of New York

BMG Music
1540 Broadway
New York, NY 10036
County of New York

Warner Bros. Records Inc.
3300 Warner Blvd.
Burbank, CA 91505
County of Los Angeles

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

MOTOWN RECORD COMPANY, L.P., a	:	
California limited partnership; CAPITOL	:	CIVIL ACTION NO.
RECORDS, INC., a Delaware corporation;	:	
VIRGIN RECORDS AMERICA, INC., a	:	
California corporation; SONY BMG	:	
MUSIC ENTERTAINMENT, a Delaware	:	
general partnership; MAVERICK	:	
RECORDING COMPANY, a California	:	
joint venture; BMG MUSIC, a New York	:	
general partnership; UMG RECORDINGS,	:	
INC., a Delaware corporation; and	:	
WARNER BROS. RECORDS INC., a	:	
Delaware corporation,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
JOHN DOE ,	:	
	:	
Defendant.	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 THROUGH §2255 ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying a plaintiff Social Security Benefits ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos ()
- (e) Special Management – cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()

(f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

<u>June 14, 2007</u>	<u>s/Andrew Hanan</u>	
Date	Attorney-at-Law	Attorney for Plaintiffs
<u>(215) 864-9600</u>	<u>(215) 864-9620</u>	<u>ahanan@cogr.com</u>
Telephone	FAX Number	E-Mail Address

(Civ. 660) 10/02

DISCLOSURE STATEMENT FORM

ATTACHMENT A

Pursuant to Federal Rule of Civil Procedure 7.1, Plaintiffs identify below persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent and subsidiary corporations, or other legal entities that are financially interested in the outcome of the case, as well as all publicly held corporations that own 10% or more of any Plaintiff's stock.

The following companies are parents of, or partners in Plaintiff MOTOWN RECORD COMPANY, L.P.: UMG Recordings, Inc.; UMG Manufacturing & Logistics, Inc.; Universal Music Group Distribution, Corp.; Polygram Holding, Inc.; Universal Music Group, Inc.; Vivendi Holding I Corp.; Vivendi Holdings Company; Vivendi Holding S.A.S.; SPC S.A.S.; and Vivendi S.A., of which only Vivendi S.A. is publicly traded. Vivendi S.A. is publicly traded in France.

The following companies are parents of, or partners in Plaintiff CAPITOL RECORDS, INC.: Capitol-EMI Music Inc.; EMI Group North America Holdings, Inc.; EMI Group International BV; EMI Group Holdings BV; EMI Group International Holdings Ltd.; EMI Group Worldwide Ltd.; Virgin Music Group Ltd.; and EMI Group plc., of which only EMI Group plc. is a publicly traded company. EMI Group plc. is publicly traded in the U.K.

The following companies are parents of, or partners in Plaintiff VIRGIN RECORDS AMERICA, INC.: EMI Recorded Music Holdings, Inc.; Capitol Records, Inc.; Capitol-EMI Music Inc.; EMI Group North America Holdings, Inc.; EMI Group International BV; EMI Group Holdings BV; EMI Group International Holdings Ltd.; EMI Group Worldwide Ltd.; Virgin Music Group Ltd.; and EMI Group plc., of which only EMI Group plc. is a publicly traded company. EMI Group plc. is publicly traded in the U.K.

The following companies are parents of, or partners in Plaintiff SONY BMG MUSIC ENTERTAINMENT: USCO Holdings Inc.; BeSo Holding LLC; Sony Music Entertainment Inc.; Bertelsmann Music Group; Bertelsmann, Inc.; Arista Holding, Inc.; Zomba US Holdings, Inc.; Bertelsmann AG; and Sony Corporation, of which only Sony Corporation is publicly traded. Sony Corporation is publicly traded in the U.S.

The following companies are parents of, or partners in Plaintiff MAVERICK RECORDING COMPANY: SR/MDM Venture Inc.; Maverick Partner Inc.; WBR/Sire Ventures Inc.; Warner Bros. Records Inc.; WMG Acquisition Corp.; WMG Holdings Corp.; and Warner Music Group Corp., of which only Warner Music Group Corp. is publicly traded. Warner Music Group Corp. is publicly traded in the U.S.

The following companies are parents of, or partners in Plaintiff BMG MUSIC: Ariola Eurodisc LLC; USCO Holdings Inc.; BeSo Holding LLC; Sony Music Entertainment Inc.; Bertelsmann Music Group; Bertelsmann, Inc.; Arista Holding, Inc.; Zomba US Holdings, Inc.; Bertelsmann AG; and Sony Corporation, of which only Sony Corporation is publicly traded. Sony Corporation is publicly traded in the U.S.

The following companies are parents of, or partners in Plaintiff UMG RECORDINGS, INC.: Polygram Holding, Inc.; Universal Music Group, Inc.; Vivendi Holding I Corp.; Vivendi Holdings Company; Vivendi Holding S.A.S.; SPC S.A.S.; and Vivendi S.A., of which only Vivendi S.A. is publicly traded. Vivendi S.A. is publicly traded in France.

The following companies are parents of, or partners in Plaintiff WARNER BROS. RECORDS INC.: WMG Acquisition Corp.; WMG Holdings Corp.; and Warner Music Group Corp., of which only Warner Music Group Corp. is publicly traded. Warner Music Group Corp. is publicly traded in the U.S.

Dated: June 14, 2007

By: s/ Andrew Hanan
Howard M. Klein (No. 33632)
Andrew Hanan (No. 69682)
Conrad O'Brien Gellman & Rohn, P.C.
1515 Market Street, 16th Floor
Philadelphia, PA 19102-1916
Telephone 215.864.9600
Facsimile 215.864.9620

Attorneys for Plaintiffs

in this District is proper because Defendant, without consent or permission of the copyright owner, disseminated over the Internet copyrighted works owned and/or controlled by Plaintiffs. On information and belief, such illegal dissemination occurred in every jurisdiction in the United States, including this one. In addition, Defendant contracted with an Internet Service Provider (“ISP”) found in this District to provide Defendant with the access to the Internet which facilitated Defendant’s infringing activities.

PARTIES

4. Plaintiff Motown Record Company, L.P. is a limited partnership duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

5. Plaintiff Capitol Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

6. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

7. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

8. Plaintiff Maverick Recording Company is a joint venture between SR/MDM Venture Inc. and Maverick Records LLC, organized and existing under the laws of the State of California, with its principal place of business in the State of California.

9. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

10. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

11. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

12. The true name and capacity of Defendant are unknown to Plaintiffs at this time. Defendant is known to Plaintiffs only by the Internet Protocol (“IP”) address assigned to Defendant by his or her ISP on the date and time of Defendant’s infringing activity. See Exhibit A. Plaintiffs believe that information obtained in discovery will lead to the identification of Defendant’s true name.

**COUNT I
INFRINGEMENT OF COPYRIGHTS**

13. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

14. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright law with respect to certain copyrighted sound recordings, including, but not limited to, all of the copyrighted sound recordings on Exhibit A to this Complaint (collectively, these copyrighted sound recordings shall be identified as the “Copyrighted Recordings”). Each of the Copyrighted Recordings is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights to each Plaintiff as specified on each page of Exhibit A.

15. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

16. Plaintiffs are informed and believe that Defendant, without the permission or consent of Plaintiffs, has continuously used, and continues to use, an online media distribution system to download and/or distribute to the public certain of the Copyrighted Recordings. Exhibit A identifies the IP address with the date and time of capture and a list of copyrighted recordings that Defendant has, without the permission or consent of Plaintiffs, downloaded and/or distributed to the public. Through his or her continuous and ongoing acts of downloading and/or distributing to the public the Copyrighted Recordings, Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Defendant's actions constitute infringement of Plaintiffs' copyrights and/or exclusive rights under copyright. (In addition to the sound recordings listed on Exhibit A, Plaintiffs are informed and believe Defendant has, without the permission or consent of Plaintiffs, continuously downloaded and/or distributed to the public additional sound recordings owned by or exclusively licensed to Plaintiffs or Plaintiffs' affiliate record labels, and Plaintiffs believe that such acts of infringement are ongoing. Exhibit A includes the currently-known total number of audio files being distributed by Defendant.)

17. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by Defendant.

18. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

19. As a result of Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) against Defendant for each infringement of each copyrighted recording. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

20. The conduct of Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting Defendant from further infringing Plaintiffs' copyrights, and ordering that Defendant destroy all copies of copyrighted sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

1. For an injunction providing:

“Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) (“Plaintiffs' Recordings”), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings or to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.”

2. For statutory damages for each infringement of each Copyrighted Recording pursuant to 17 U.S.C. § 504.
3. For Plaintiffs' costs in this action.
4. For Plaintiffs' reasonable attorneys' fees incurred herein.
5. For such other and further relief as the Court may deem just and proper.

Dated: June 14, 2007

By: s/ Andrew Hanan
Howard M. Klein (No. 33632)
Andrew Hanan (No. 69682)
Conrad O'Brien Gellman & Rohn, P.C.
1515 Market Street, 16th Floor
Philadelphia, PA 19102-1916
Telephone 215.864.9600
Facsimile 215.864.9620

Attorneys for Plaintiffs

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Blondie	Heart of Glass	Parallel Lines	4-090
Motown Record Company, L.P.	98 Degrees	The Hardest Thing	98 Degrees & Rising	237-315
Virgin Records America, Inc.	Spice Girls	Spice Up Your Life	Spiceworld	261-523
SONY BMG MUSIC ENTERTAINMENT	Allure	All Cried Out	Allure	241-069
Maverick Recording Company	Michelle Branch	All You Wanted	The Spirit Room	303-732
BMG Music	O-Town	All Or Nothing	O-Town	294-872
UMG Recordings, Inc.	Vanessa Carlton	A Thousand Miles	Be Not Nobody	313-943
Warner Bros. Records Inc.	Prince	Little Red Corvette	1999	41-035
BMG Music	NSYNC	I Want You Back	*NSYNC	252-748
SONY BMG MUSIC ENTERTAINMENT	Jennifer Lopez	Alive	J. To Tha L-O!: The Remixes	309-337

AO 121 (6/90)

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION ~ APPEAL		COURT NAME AND LOCATION United States District Court Eastern District of Pennsylvania United States Courthouse 601 Market Street Philadelphia, PA 19106-1797
DOCKET NO.	DATE FILED	
PLAINTIFF MOTOWN RECORD COMPANY, L.P.; CAPITOL RECORDS, INC.; VIRGIN RECORDS AMERICA, INC.; SONY BMG MUSIC ENTERTAINMENT; MAVERICK RECORDING COMPANY; BMG MUSIC; UMG RECORDINGS, INC.; and WARNER BROS. RECORDS INC.		DEFENDANT JOHN DOE
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1	<u>See</u> Exhibit A, attached.	
2		
3		
4		
5		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY			
	Amendment	Answer	Cross Bill	Other Pleading
COPYRIGHT REGISTRATION NO.	TITLE OF WORK			AUTHOR OF WORK
1				
2				
3				

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED		WRITTEN OPINION ATTACHED		DATE RENDERED
Order	Judgment	Yes	No	
CLERK		(BY) DEPUTY CLERK		DATE

*U.S.G.P.O. 1982-374-279

Copy 1 – Upon initiation of action, mail this copy to Register of Copyrights.

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Blondie	Heart of Glass	Parallel Lines	4-090
Motown Record Company, L.P.	98 Degrees	The Hardest Thing	98 Degrees & Rising	237-315
Virgin Records America, Inc.	Spice Girls	Spice Up Your Life	Spiceworld	261-523
SONY BMG MUSIC ENTERTAINMENT	Allure	All Cried Out	Allure	241-069
Maverick Recording Company	Michelle Branch	All You Wanted	The Spirit Room	303-732
BMG Music	O-Town	All Or Nothing	O-Town	294-872
UMG Recordings, Inc.	Vanessa Carlton	A Thousand Miles	Be Not Nobody	313-943
Warner Bros. Records Inc.	Prince	Little Red Corvette	1999	41-035
BMG Music	NSYNC	I Want You Back	*NSYNC	252-748
SONY BMG MUSIC ENTERTAINMENT	Jennifer Lopez	Alive	J. To Tha L-O!: The Remixes	309-337

AO 121 (6/90)

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
---	---

In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION ~ APPEAL		COURT NAME AND LOCATION United States District Court Eastern District of Pennsylvania United States Courthouse 601 Market Street Philadelphia, PA 19106-1797
DOCKET NO.	DATE FILED	
PLAINTIFF MOTOWN RECORD COMPANY, L.P.; CAPITOL RECORDS, INC.; VIRGIN RECORDS AMERICA, INC.; SONY BMG MUSIC ENTERTAINMENT; MAVERICK RECORDING COMPANY; BMG MUSIC; UMG RECORDINGS, INC.; and WARNER BROS. RECORDS INC.		DEFENDANT JOHN DOE
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1	<u>See</u> Exhibit A, attached.	
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In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY			
	Amendment	Answer	Cross Bill	Other Pleading
COPYRIGHT REGISTRATION NO.	TITLE OF WORK			AUTHOR OF WORK
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In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED Order Judgment		WRITTEN OPINION ATTACHED Yes No	DATE RENDERED
CLERK		(BY) DEPUTY CLERK	DATE

*U.S.G.P.O. 1982-374-279

Copy 2 – Upon filing of document adding copyright(s), mail this copy to Register of Copyrights.

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Blondie	Heart of Glass	Parallel Lines	4-090
Motown Record Company, L.P.	98 Degrees	The Hardest Thing	98 Degrees & Rising	237-315
Virgin Records America, Inc.	Spice Girls	Spice Up Your Life	Spiceworld	261-523
SONY BMG MUSIC ENTERTAINMENT	Allure	All Cried Out	Allure	241-069
Maverick Recording Company	Michelle Branch	All You Wanted	The Spirit Room	303-732
BMG Music	O-Town	All Or Nothing	O-Town	294-872
UMG Recordings, Inc.	Vanessa Carlton	A Thousand Miles	Be Not Nobody	313-943
Warner Bros. Records Inc.	Prince	Little Red Corvette	1999	41-035
BMG Music	NSYNC	I Want You Back	*NSYNC	252-748
SONY BMG MUSIC ENTERTAINMENT	Jennifer Lopez	Alive	J. To Tha L-O!: The Remixes	309-337

AO 121 (6/90)

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION ~ APPEAL		COURT NAME AND LOCATION United States District Court Eastern District of Pennsylvania United States Courthouse 601 Market Street Philadelphia, PA 19106-1797
DOCKET NO.	DATE FILED	
PLAINTIFF MOTOWN RECORD COMPANY, L.P.; CAPITOL RECORDS, INC.; VIRGIN RECORDS AMERICA, INC.; SONY BMG MUSIC ENTERTAINMENT; MAVERICK RECORDING COMPANY; BMG MUSIC; UMG RECORDINGS, INC.; and WARNER BROS. RECORDS INC.		DEFENDANT JOHN DOE
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COPY ATTACHED		WRITTEN OPINION ATTACHED		DATE RENDERED
Order	Judgment	Yes	No	
CLERK		(BY) DEPUTY CLERK		DATE

*U.S.G.P.O. 1982-374-279

Copy 3 – Upon termination of action, mail this copy to Register of Copyrights.

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

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Motown Record Company, L.P.	98 Degrees	The Hardest Thing	98 Degrees & Rising	237-315
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AO 121 (6/90)

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*U.S.G.P.O. 1982-374-279

Copy 4 – In the event of an appeal, forward this copy to the Appellate Court so they can prepare a new A0 279 for the appeal.

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

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Copy 5 – Case file copy.

EXHIBIT A**JOHN DOE****IP Address:** 144.118.209.65 2007-02-28 18:16:03 EST**CASE ID#** 120073856**P2P Network:** GnutellaUS**Total Audio Files:** 103

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